IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 4TH OCTOBER 2006 / 12TH ASWINA 1928

Bail Appl..No. 5810 of 2006()

C.R.NO.20/2002 OF BADIADKA POLICE STATION
LPC. 29/2004 IN CP.90/2003 of J.M.F.C.,KASARAGOD

.....

PETITIONER:

B.A. SIDDIQ, S/O. ABDULLA KUNHI,
AGED 31 YEARS, NELADKA HOUSE,
BANNUR VILLAGE & POST,
PUTHUR, DAKSHINA KANNADA.

BY ADV. SRI.M.SANTHOSH KUMAR

RESPONDENTS: COMPLAINANT:

THE EXCISE INSPECTOR BADIADKA
EXCISE RANGE IN CR.NO.20/02, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

- -

B.A. No. 5810 of 2006

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Dated this the 4th day of October, 2006

O R D E R

The petitioner is the registered owner of the vehicle bearing registration No.KA-19/2596, a lorry, used for transporting 3885 litres of spirit. The Excise Inspector of Badiadka Excise Range, intercepted the vehicle. The contraband was seized. No one could be arrested as occupants and driver, escaped from the vehicle. The petitioner is arrayed as an accused, for he being the registered owner of the vehicle. The investigation is complete and the matter is now pending as C.P.No.90/2003 of Judicial Magistrate of the First Class-I, Kasaragod. As the accused, petitioner, was absconding, the matter against him is put in L.P.C.No.29/2004 of the same court. Hence, the petitioner is before this Court.

2. After hearing both sides and considering the materials that are placed before me, I direct the petitioner to surrender before the Judicial Magistrate of the First Class-I,

Kasaragod, on 12/10/2006, at 11 a.m.

3. The learned Magistrate shall hear both sides and pass appropriate orders on merit on the same day itself.

(J.M.JAMES)
Judge

ms